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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/414,483

10/08/99

KARALIC

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247P1US

020577  
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CANADA

PM82/0829

EXAMINER

CHAVEZ, P

ART UNIT

PAPER NUMBER

AIR MAIL

3635

DATE MAILED:

08/29/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trad marks**

# Office Action Summary

Application No.  
**09/414,483**

Applicant(s)  
**Meho Karalic**

Examiner  
**Patrick J. Chavez**

Art Unit  
**3635**



-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1) ☒ Responsive to communication(s) filed on May 11, 2001

2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

## Disposition of Claims

4) ☒ Claim(s) 1-21 is/are pending in the application

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☒ Claim(s) 1-21 is/are rejected.

7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirements

## Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on Oct 8, 1999 is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some\* c) ☒ None of:

1. ☒ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

15) ☒ Notice of References Cited (PTO-892)

18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

19) ☐ Notice of Informal Patent Application (PTO-152)

17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_

20) ☐ Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the vertical flanges (plural) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

### ***Claim Objections***

2. Claim 7 is objected to because of the following informalities: 1) the claim is dependent from itself and 2) the claim appears to have two typographical errors. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1-11 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Howard (US Patent 4,292,775) in view of Ginsberg (US Patent 6,110,996).

In figures 1 and 2, Howard teaches of a building component comprising: a plurality of lengths of lumber, 22, assembled into a frame; a foam insulation material, 24, within the frame; a plaster material, 20, placed on one side of said frame; and reinforcement sheet of solidified fiber

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reinforced composite material, 27, adhered to said <sup>?</sup>lumber lengths. What is not revealed is the use of a fiber reinforced composite material, such as Ginsite, as the plaster material. Ginsberg teaches of such a composite, "for use in manufacturing building materials" - column 1, line 49. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the building structure of Howard with the fiber composite material of Ginsberg so as to construct a building component having more desirable properties.

Howard and Ginsberg teach of the building component as discussed above, but do not explicitly recite the method of making a building component as instantly claimed. Given Howard's and Ginsberg's disclosure, the method of construction would be a matter of obviousness to one having ordinary skill in the art.

5. Claims 12 and 15-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Howard in view of Ginsberg and in further view of Young (US Patent 3,034,609).

Howard and Ginsberg teach of the building component as discussed above, but do not teach of metal corner connecting elements having a box-shaped section with lateral and vertical flanges. In figures 2 and 3, Young discloses a box-shaped metal corner connector which is capable of being in abutment with vertical lengths of lumber, 14, and having a vertical flange, perpendicular to lateral flange 27, extending between a pair of said lengths of lumber.

Howard and Ginsberg teach of the building component as discussed above, but do not explicitly recite the method of installing metal corner connectors at corners of said frame as

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instantly claimed. Given Howard's and Ginsberg's disclosure, the method of construction would be a matter of obviousness to one having ordinary skill in the art.

***Response to Arguments***

6. Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick J. Chavez whose telephone number is (703) 306-5706.



Carl D. Friedman  
Supervisory Patent Examiner  
Group 3600

PS  
PJC

August 16, 2001